

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

(To be assigned by the Clerk of the Supreme Court)

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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JACKIE JOHNSON and
BENARD JOHNSON,
Appellants,

v.

NOTICE OF APPEAL

BETTIE CHAMBERS,
Appellee.

NOTICE is given that Jackie Johnson and Benard Johnson, the Appellants above-named and who are the plaintiffs in that cause of action filed in the First Judicial District Court, in and for the County of Lewis and Clark, as Cause No. CDV-2008-1111, hereby appeal to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 12th day of May, 2010.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is subject to the mediation process required by M.R.App.P. 7. If subject to mediation, the money judgment being sought is not less than \$5,000.

2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A".

3. That the notice required by M.R.App.P. 27 will not be given because this appeal does not challenge the constitutionality of any act of the Montana Legislature.

4. That relevant portions of the trial transcript of the proceeding in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M.R.App.P. 8(3) contemporaneously with the filing of this notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

DATED this 20 day of May, 2010.

DOUBEK & PYFER, LLP

By 

Patrick T. Fox
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Nancy Sweeney
Clerk of District Court
P.O. Box 158
Helena, MT 59624

Paul Haffeman, Esq.
Davis, Hatley, Haffeman
& Tighe, PC
P.O. Box 2103
Great Falls, MT 59403-2103

Dated this 20 day of May, 2010.


